

United States District Court
for the
Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 30, 2015

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: San Juanita Garcia-Ortega

Case Number: 0980 2:09CR02102-FVS-1

Address of Offender: [REDACTED] Yakima, Washington 98902

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: December 6, 2010

Original Offense: Conspiracy to Distribute Controlled Substance, 21 U.S.C. § 846

Original Sentence: Prison 41 months;
TSR - 60 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Shawn N. Anderson

Date Supervision Commenced: August 20, 2014

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: February 19, 2017

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: On April 28, 2015, this officer spoke with Ms. Garcia-Ortega on the telephone and directed her to report to the probation office by 9 a.m. on April 29, 2015. Ms. Garcia-Ortega agreed to report as directed. However, on April 29, 2015, the defendant left this officer a voice mail message, stating she cannot report and she would report to probation on Monday, May 4, 2015.

2 **Special Condition # 16:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: On April 6, 2015, Ms. Garcia-Ortega was directed to complete a substance abuse evaluation at Merit Resources Services (Merit), by April 13, 2015. On April 24, 2015, this officer contacted Merit and was advised Ms. Garcia-Ortega has not completed or scheduled a substance abuse evaluation.

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Special Condition # 17: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On April 6, 2015, Ms. Garcia-Ortega was directed to start calling the color line at Merit on April 7, 2015, for random urine testing. Ms. Garcia-Ortega failed to show up for random urine testing on April 15 and 22, 2015.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 04/30/2015

s/Phil Casey

Phil Casey
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other

s/Fred Van Sickle

Signature of Judicial Officer

April 30, 2015

Date